

Congress of the United States
Washington, DC 20515

October 1, 2021

The Honorable Michael L. Parson
Governor of Missouri
P.O. Box 720
Jefferson City, MO 65102

Dear Governor Parson:

We write to you today to urgently ask that you halt the execution of Ernest Lee Johnson scheduled for October 5th at a state prison in Bonne Terre. As lawmakers, we are committed to building a Missouri that is a beacon of justice, and who strive daily to represent the needs and demands of Missourians across the state. It is for this reason we urge you to immediately commute the sentence of Mr. Johnson.

Mr. Johnson is a son, a brother, an uncle, and a dear friend to many. He was born in Steele, Missouri in 1960 and was raised in Charleston, Missouri. His father was a sharecropper in Pemiscot County. He attended a segregated school and was raised primarily by his grandmother. Mr. Johnson's mother lived with an alcohol and drug addiction, which resulted in Mr. Johnson being diagnosed with Fetal Alcohol Spectrum Disorder (FASD).¹ He faces his suffering and trials with humor. He also loves food, especially pizza, hamburgers and ice cream. He delights in the small blessings he is afforded and is quick to testify to even the smallest of mercies. According to Kelly D. Watts, spiritual advisor to Mr. Johnson, "Ernest Johnson is perhaps one of the purest of heart human beings I have ever had the blessing of meeting...Ernest is a gentle, kind, loving man."

Mr. Johnson's execution would be a grave act of injustice. Mr. Johnson "meets all statutory and clinical definitions" of intellectual disability.² The Eighth Amendment of the U.S. Constitution prohibits executing intellectually disabled people.³ As members of the U.S. House of Representatives, we urge you not to act in contravention to our Constitution. You must not execute Mr. Johnson. In addition, killing those who lack the intellectual ability to conform their behavior to the law is morally and legally unconscionable. Furthermore, Johnson was diagnosed with a brain tumor in 2008 and underwent brain tissue removal, according to court records.⁴ Scar tissue from the removal will likely cause him painful

¹ Clemency For Ernest Johnson. *Missourians For Alternatives To The Death Penalty*. <https://www.madpmo.org/>

² Id.

³ Salter, Jim. *Supporters of condemned Missouri man push for clemency*. Washington Post: September 29, 2021. https://www.washingtonpost.com/national/supporters-of-condemned-missouri-man-push-for-clemency/2021/09/29/8723a14c-216c-11ec-a8d9-0827a2a4b915_story.html?variant=116ae929826d1fd3

⁴ Luke Nozicka, Jeanne Kuang, And Bill Lukitsch. *Groups Urge MO Gov. Parson to Stop Ernest Johnson Execution*. The Kansas CityStar: September 29, 2021.

seizures after he is injected with pentobarbital, a seizure-inducing medication.⁵ For all of these reasons, we are staunch in our belief that Mr. Johnson should be granted clemency because he -- like any person -- is worthy of retribution and care.

We must move our country towards accountability and healing. In order to do so, we must first acknowledge the moral depravity of executions. The fact of the matter is that these death sentences are not about justice. They are about who has institutional power and who doesn't. Like slavery and lynching did before it, the death penalty perpetuates cycles of trauma, violence and state-sanctioned murder in Black and brown communities. We urge you to correct these injustices using every tool available, including the power to grant clemency.

Mr. Johnson's cruel execution would be the first execution in Missouri since May 2020. We must dedicate ourselves to the fundamental principles of liberty and justice that animate our laws and our governance. We can collectively save the lives of people all across America. We look forward to working with your administration to enact just and restorative policies that will meaningfully transform our legal system for the better.

Sincerely,



CORI BUSH
Member of Congress



EMANUEL CLEAVER
Member of Congress

<https://www.kansascity.com/news/state/missouri/article254569382.html#:~:text=It%27s%20been%20used%20by%20Missouri,remained%2C%20according%20to%20court%20records.>

⁵ Id.